

EXHIBIT I

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF FLORY N. DANISH, JR.

I, FLORY N. DANISH, JR., pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as **Exhibit A** to this Declaration are true and correct copies of my (1) U.S. Passport, (2) Birth Registration Certificate, and (3) Birth Certificate as proof of citizenship.

3. On September 11, 2001, I was working for the Port Authority of New York & New Jersey (the “Port Authority of NY & NJ”), and was present at One World Trade Center - North Tower, on the 86th floor, when the terrorist attacks on the World Trade Center Towers occurred.

4. I was sitting at my desk that morning, next to a window where I had a clear view straight uptown, and I heard this loud jet noise causing me to look out the window. I saw this big shadow pass by, heard the sound of a jet flying close by, and was abruptly knocked off my chair by what would be confirmed to have been the airplane crashing into the North Tower. After getting

back on my chair, debris came down from the ceiling and I was knocked off my chair a second time as the building snapped back from the force of the plane hitting the building. There was one other co-worker in the office at the time, and I went over to see if she was ok. She had not been physically hurt, but was scared to death. After making sure my co-worker was safe, I went to check the entrance/exit door to our office to see if we could get out, climbing over piles of debris blocking the way; thankfully the door opened. I returned to my desk and called my wife Francine on my office telephone, told her I was ok, I was leaving the office, and I loved her. While I was on the phone I noticed debris falling outside my window – it was incredibly bizarre.

5. I left my desk to get my co-worker to leave but had a difficult time getting her to move; she was paralyzed with fear. I was finally able to get her to grab her pocketbook and we ran out the office door into the hallway. There were no other people in the hall. We reached the first stairway, I believe it was stairwell C or B, found it clear of debris and people, and started making our way down the stairs from the 86th floor. Shortly thereafter, somebody came up behind us on the stairs – the individual was carrying a man covered in blood – and we got out of their way so they could pass us. As we continued our descent, my co-worker and I started coming across other people and ended up forming a group. At one point the stairwell we were in ended. A person that had joined our group knew the layout of the building well enough to lead us back up one floor to take an alternate route – through an office filled with fire and a broken gas line shooting out gas. There was a strange pungent smell of what I assume was jet fuel that filled the air. After making it through the heavily damaged office, our group was able to take another stairwell and continue our escape. As we reached the lower floors there was a lot of water running down the stairwell and we encountered firefighters heading in the opposite direction, up the stairs.

6. When we finally reached the end of the stairwell on the mezzanine level, we were at street level. There were police officers directing us where to go and adamantly telling us not to look out the window(s). They did not want us going outside the building. People were jumping and falling from floors above and stuff was splattered everywhere. It was incredibly horrific. We were directed down to the concourse, below street level, which was beneath the North Tower and similar to a mall. Upon reaching the concourse lobby there were police officers and firefighters at the command center, all the glass was shattered and blown out, and there were giant slabs of marble off the wall. It was crazy looking.

7. We went through a revolving door and I heard this rumbling sound. At first, I thought it was another plane, and then it got louder, and louder, and louder. Then I saw it – a thick, dark debris cloud hurling towards us at what seemed to be 100 miles per hour. As I watched the ominous cloud torpedoing down the hall directly at us, my co-worker and I started to run. Next thing I know, my co-worker fell, I fell backwards onto my left shoulder, and everything went pitch black. We started getting pelted by debris. I have no idea what the debris consisted of and struggle finding the words to describe it. It was like standing outside in the middle of a hurricane getting battered and pelted incessantly in complete darkness. I began crawling, and kept crawling trying to escape to safety however possible. I crawled to what I believe was a doorway of a store. I was on my hands and knees with my back to the wind when it stopped.

8. At that point I had lost my co-worker, it was still pitch black and I could not see anything, and my ears, nose, mouth, and eyes were all full of dust and stuff. I could hear faint voices, but it was hard to hear. I got up and started walking slowly while feeling my way around to escape. After a while, I saw a flashlight and heard a voice giving instructions to walk to the light. I remember walking to the light and starting to see other shapes walking to the light. It was

weird, the shapes I started seeing were other people but it was like they were ghosts because everyone was covered head to toe in grey. When I reached the light, it was a firefighter who then led a group of us through what I think was a Borders bookstore, up an escalator and out a door onto the street. Everything was covered in grey and there were papers all over the place.

9. My eyes had become covered and filled with gunk and I could feel it, it was like there was sand in my eyes. I kept blinking and trying to clear my eyes. I noticed a deli open across the street; I ran in and the man working was giving everything away. I graciously took a bottle of water and used it to clean my eyes, mouth, and nose. When I went back out into the street I did not know what to do. I knew some vendors with offices in midtown so I figured I would try to go somewhere I knew someone.

10. Nobody I knew was around; there was nobody around at all. I wandered toward uptown but ended up getting confused, lost all my bearings, and did not know what to do. I kept putting one foot in front of the other and kept on walking, aimlessly. I walked, and walked, and walked, and eventually there were more people. Then people started screaming. I turned around to witness the North Tower collapsing.

11. I continued walking until I saw a sign that said, "WTC Employees Here." I entered the lobby of what turned out to be a New York Sports Club. I asked someone if they were taking WTC employees; they answered, "Yes, can I help you?" They whisked me in, had a doctor take a quick look at me, and then took me to the gym and gave me a shower. They gave me gym clothes to put on in place of the debris and dust covered clothes I had been wearing.

12. I was still in shock. At that time, I did not pay attention to or really comprehend the pain in my shoulder from falling during my escape. All I was focused on was getting home. I had not realized where I was, but I had ended up near the Chelsea Piers. I asked a passerby if there

was any transportation to New Jersey; I was told to walk to the Chelsea Piers where ferries were running taking people to Weehawken. I walked to the Chelsea Piers and got on the ferry to New Jersey wearing a stranger's gym shorts, t-shirt, and sneakers. I eventually arrived home that evening while the sun was still out.

13. The traumatic events I personally experienced, in tandem with personally witnessing a multitude of atrocities endured by other victims, during my escape, have completely changed my life, and drastically impacted my physical and mental health.

14. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: a painful left shoulder injury with a positive impingement sign confirmed by an MRI showing evidence of fluid within the rotator cuff and partial tearing of the small acromial spur. After treating with multiple doctors, extensive physical therapy, prescriptions for medication(s), and subacromial injection(s), the final impression given regarding my left shoulder injury was (1) rotator cuff tendonitis, and (2) biceps tendonitis. I was also diagnosed with Post Traumatic Stress Disorder ("PTSD"), Panic Disorder associated with PTSD, and PTSD with subsequent Major Depressive Disorder NOS secondary to the PTSD, all causally related to these devastating acts of terrorism.

15. Due to the physical and mental injuries stated herein, I was unable to return to work after September 11, 2001, until the spring of 2003. During this time, I filed for and received Workers' Compensation benefits through my employer, the Port Authority of NY & NJ. When I did return to work, I returned to a different office location in Jersey City rather than New York City, where I continue to work today. My employer's headquarters remains in the World Trade Center and my job requires my attendance at certain meetings held at headquarters so I do go into New York City for the meetings when I have to. Am I comfortable when I do this? Not really.

Do I feel comfortable going through the crowds traveling to and from the meetings? No. Do I like seeing the 9/11 memorial that now stands where the towers used to? No, I do not like seeing the memorial. Every time I have to go it is torturous, but I have gotten over not being able to go.

16. In the aftermath of the attacks, for years I often became tearful, had difficulty focusing and problems with memory recall, was depressed and anxiety-ridden with depersonalization and self-hypervigilance, along with anticipatory anxiety, experienced nightmares and flashbacks as well as panic attacks, had difficulty sleeping, startled easily, and actively avoided any potentially related trauma stimuli. Two things I avoided specifically were New York City and airports. I lived in a state of constant worry and fear for my family and myself that there would be future terrorist attacks; that it will happen again.

17. I still startle extremely easily. I sleep better now, but still have bouts where I get to thinking about that day and suffer sleep issues that eventually go away until the next time it occurs. I still have a lot of guilt about separating from my co-worker while escaping the World Trade Center. She is alive, but I feel like I left her in there. Low flying airplanes and airports continue to affect me; they dredge up memories and I get weirded out, but I continue to learn and work on managing and handling these issues. To this day, I can tell by the sound of an airplane whether it is coming toward me or heading away from me.

18. I sought medical attention for my injuries. Attached as **Exhibit B** to this Declaration are true and correct copies of my medical records related to the treatment I received following the September 11, 2001 terrorist attacks.

10. I previously pursued a claim (VCF Claim Number 212-006402) through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 22 day of January 2020.


ELORY N. DANISH, JR.

Exhibits Filed Under Seal